

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/027,741	OVERHOLT ET AL.	
	Examiner	Art Unit	
	Stephen J. Castellano	3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Brief filed 8/26/04.
2. ☒ The allowed claim(s) is/are 1-13, 15-19 and 28-33.
3. ☒ The drawings filed on 20 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.  |

  
 Stephen Castellano  
 Primary Examiner

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Regarding the petition filed September 9, 2004, it is appropriate to withdraw the notice of non-compliant with Rule 192(c) since appellant has complied with requirements and/or the examiner no longer believes the reasoning to be valid or substantial. All other objections/rejections referred to in the petition have been vacated in view of the present examiner's amendment.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Carlson on December 8, 2004.

The application has been amended as follows:

Claim 7, line 3, -- of the first side panel -- has been added after "lateral edge."

Claim 9, line 3, "overlies" has been changed to -- lies in front of --.

Claim 12, line 3, "overlies" has been changed to -- lies in front of --.

Claim 15, line 1, "14" has been changed to --11--.

Claim 11 has been changed to --

11. A collapsible container comprising:

a bottom panel having a peripheral edge, and

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a plurality of side panels, each side panel being mounted on the bottom panel along a respective portion of the peripheral edge for pivoting movement about a respective pivot axis between a collapsed position and a raised position, each side panel including a pair of diametrical lateral edges, each side panel pivoting to a raised position relative to the bottom panel such that each lateral edge of a given side panel interlockingly engages a lateral edge of an adjacent side panel,

wherein one side panel includes an outer face and a basal edge bordering the outer face, wherein a first portion of the peripheral edge of the bottom panel includes a recessed shelf, wherein the recessed shelf is located below the pivot axis of the one side panel, and

wherein a basal edge of the one side panel pivots into engagement with the recessed shelf when the one side panel is pivoted to the raised position,

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wherein a first side panel includes an outer face,

wherein a second side panel adjacent to the first side panel includes an inner face and a flange projecting from the inner face along at least a portion of one lateral edge thereof, the first and second side panels respectively pivoting to the raised position such that the flange overlies the outer face as the one lateral edge of the first side panel engages one lateral edge of the second side panel, and

wherein the first side panel includes at least one locating member projecting outwardly from the outer face proximate to the one lateral edge, and wherein the flange includes at least one socket adapted to receive the at least one locating member when the first and second side panels are respectively pivoted to the raised position to maintain the engagement of the basal edge of the one side panel with the recessed shelf when the one side panel is pivoted to the raised position. --


Claims 14, 20-23 and 27 have been canceled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Castellano whose telephone number is 571-272-4535. The examiner can normally be reached on M-Th 6:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W. Young can be reached on 571-272-4549. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Stephen J. Castellano  
Primary Examiner  
Art Unit 3727

sjc